



*United States Attorney  
Southern District of New York*

---

*The Silvio J. Mollo Building  
One Saint Andrew's Plaza  
New York, New York 10007*

November 22, 2006

**BY HAND**

The Honorable Kenneth M. Karas  
United States District Judge  
Southern District of New York  
500 Pearl Street, Room 920  
New York, New York 10007

Re: United States v. Alberto William Vilar and Gary Alan Tanaka,  
S3 05 Cr. 621 (KMK)

Dear Judge Karas:

The Government respectfully submits this letter to correct one sentence in its papers filed on November 21, 2006 in opposition to defendants' request to reopen the Franks hearing.

Page four of the Government's November 21, 2006 letter brief contained the sentence: "Golden's memorandum of interview summarized that information in the following sentence fragment: 'Cates was never provided any details regarding Rhodes Capital, other than being informed by Vilar'." After filing its brief, the Government obtained from Inspector Golden the final version of that MOI containing a full sentence, not a sentence fragment. Accordingly, the sentence at issue should read: "Golden's memorandum of interview summarized that information in the following sentence: 'Cates was never provided any details regarding Rhodes Capital, other than being informed by Vilar that the investment is not open to the public and is very closely held by Vilar and his partner at Amerindo, Gary Tanaka (Tanaka).'"

Respectfully submitted,

MICHAEL J. GARCIA  
UNITED STATES ATTORNEY

By: \_\_\_\_\_ /s/  
Marc Litt  
Deirdre A. McEvoy  
Assistant United States Attorneys  
(212) 637-2295 / -2309

cc: Defense counsel